

1901-027  
Lee Co.

Chancery Causes: J. T. Hodges vs. Clarinda Hodges

Hood, McKinney

CA-Divorce  
T-Vices



To the Hon. H. A. W. Skeen, Judge of the  
Circuit Court for Lee County, Virginia:

Your orator J. P. Hodges, humbly complaining  
would show unto the Court that he is now, and has been  
for the twelve months next preceding the institution of  
this suit, a citizen of this State and of Lee County, that  
on the day of 15, he was married to one  
Clarinda Hodges; that he was to her an indulgent,  
and provident husband, and treated her with the  
love and consideration which a husband owes to his  
wife; that he gave her no cause to prove false to  
her marriage vows and duties.

Yet your orator charges and avers that since  
his said marriage with the said Clarinda Hodges, and  
within five years from the institution of this suit  
that the said Clarinda Hodges has committed the  
shameful crime of adultery with various persons  
not her lawful husband, and that said adultery  
was committed without your orators consent or  
connivance; and your orator avers that he has  
not cohabited with the said Clarinda Hodges since  
he learned of said adultery.

For as much then as your orator is reminded  
save in a Court of Chancery, he prays that the  
said Clarinda Hodges be made a party defendant  
to this bill, and that she be required to answer  
the same, but not upon oath, that being hereby  
waived; that your orator may be divorced from the  
said Clarinda Hodges, a vinculo matrimonii; that  
proper process issue, and all proper orders be made;  
and that all such other further and general relief may be afforded  
your orator as in the premises may be just and right; and your  
orator will ever pray, etc.

J. C. Noel p. 9.



J. T. Hodges  
vs Bill in Chancery.

Clarinda Hodges

1st Feby rules Bill <sup>filed</sup> Spa  
not executed & alias sums

2 Feby rules Spa executed

1st March rules taken the  
last Monday in Feby  
Cause set for hearing

Plaintiffs Costs

Clerk 4.06

Tax 1.50

Shff 50

atly 15.00

J P 1.50

\$22.06

1901 March Term Decree  
final Order Book  
No 6 Page 496

1900 to 10



1 J. P. Hodges  
2 vs  
3 Clarinda Hodges } In Chancery.

4 This cause came on this day to be  
5 heard upon the plaintiffs bill and papers filed  
6 therewith and the depositions taken in the case,  
7 and was argued by counsel, and it appearing  
8 to the court that the defendant had been served  
9 with notice as required by law, and had neither  
10 appeared, and answered or demurred to the plaintiffs,  
11 and it further appearing to the court independent  
12 of the defendants failure to answer or demur, that the  
13 allegations contained in the said plaintiffs bill  
14 are true; it is therefore, adjudged, ordered and  
15 decreed that the bonds of matrimony heretofore  
16 entered into and up to this time existing between  
17 the said plaintiff and defendant, be dissolved.  
18 And this cause is <sup>ordered to be</sup> stricken from the docket.



J. T. Hodges  
vs Decree Final  
Clarinda Hodges

Entered on ledger  
order Book No 6  
Page 496

Entered this month  
1901.

A. W. S. S. S.  
Judge.



To Mrs. Lavinia Hodges:

You are hereby notified that on the 16<sup>th</sup> day of February 1901, at the residence of D. G. McKinney in Lee County Virginia, between the hours of 9 o'clock A.M. and 6 o'clock P.M. of that day, I shall proceed to take the depositions of Martha Hood and others, to be read as evidence in my behalf, in a certain suit in equity, depending in the Circuit Court for the County of Lee, wherein I am plaintiff and you are defendant, and if from any cause the taking of the said depositions be not commenced, or if commenced, be not concluded on that day, the taking of the said ~~depositions~~ thereof will be adjourned from day to day, and from time to time, and from place to place, and between the same hours, until the same shall be completed.

Respectfully

D. P. Hodges

Per Counsel, J. C. Noel

J. P. Hodges

20 { Notice to Take Depositions

Clarinda Hodges

Virginia, Lee County Court.  
I D. G. McKinney do  
solemnly swear that I executed  
the within notice, on the 14  
day of Feb. 1901, by delivering  
a true copy thereof to  
Clarinda Hodges. This  
the 15 day of Feb. 1901.

D. G. McKinney  
sworn to before me in  
my county aforesaid by  
the aforesaid

This the 15 day of Feb. 1901.  
James Smith J. P.



The depositions of Martha Hood and  
D. G. McKinney, J. T. Hodges  
taken before me James Smyth, a Justice  
of the Peace for the County of Lee, pursuant  
to notice hereto annexed at the dwelling house  
of D. G. McKinney in Lee County Virginia,  
on the 16<sup>th</sup> day of February 1901, between  
the hours of 9 o'clock A.M. and 6 o'clock  
P.M., to be read as evidence in behalf  
of J. T. Hodges in a certain suit-in-  
equity depending in the Circuit Court  
of Lee County, in the State of Virginia,  
wherein the said J. T. Hodges is plaintiff  
and Clarinda Hodges is defendant.

Present - J. C. Noel, Atty. for Plaintiff.

The witness Martha Hood being duly sworn  
deposes as follows:

Ques (1)

Please state your age and residence?

Ans

I am fourteen years old, and live in Wise  
County Va, near Spalachia.

Ques (2)

Are you acquainted with J. T. Hodges and  
Clarinda Hodges the plaintiff and  
defendants in this suit?

Ans

I am.

Ques (3)

At any time with in the last-five years  
and since the marriage of Clarinda Hodges,  
to J. T. Hodges, have you known the said  
Clarinda Hodge to have carnal knowledge  
of the body of any other man than



1 J.T. Hodges her husband, if so please  
2 state as nearly as you can when and  
3 where?

Ans

4 I have. About one year ago in the Crab Orchard.  
5 with James Adams. I saw them that is  
6 Clarinda Hodges and James Adams bed  
7 together. Also I have her and Mart-Gillan  
8 bed together This was about two years ago.

Ques (4)

9 Has J.T. Hodges lived with Clarinda  
10 Hodges since the times you speak of in  
11 your last answer?

Ans

12 He has not? And further this deponent  
13 says not.  
14 Martha <sup>her</sup> Hood  
mark

15  
16 D.G. Mc Kinney another witness of  
17 lawful age deposes and says:

Ques (1)

18 State your age, residence and occupation?

Ans

19 I am 29 years old, residence Crab Orchard Va,  
20 and am a farmer.

Ques (2)

21 Are you acquainted with the plaintiff

22 J.T. Hodges, and the defendant Clarinda Hodges?

Ans

23 I am. J.T. Hodges has been in the Crab Orchard  
24 since 1878.

Ques

25 From Dec. 20, 1897, to Sept-1898, please  
26 state if you know where J.T. Hodges was  
27 and where Clarinda Hodges was at during the  
28 same period?

Ans

29 About the 20 of Dec. 1897, J.T. Hodges left  
30 the Crab Orchard and was gone to Tennessee  
31 & I am informed until some time in Sept 1898  
32



1 when he moved back to the Crab Orchard  
2 Clarinda Hodges during the same period  
3 lived here in the Crab Orchard and at -  
4 Minersville, Wise Co., Va.

Ques 5 State any circumstance that may have  
6 occurred to convince you that Clarinda  
7 Hodges lived in adultery with other men while  
8 the said J. T. Hodges was gone to Tennessee in  
9 1897 and 1898?

Ans. 10 About January, <sup>1899</sup> she gave birth to a  
11 child, which I do not think from the circum-  
12 stances could have been sired by her husband  
13 J. T. Hodges. The child was born something  
14 like twelve months after her husband went  
15 away.

Ques 16 Has J. T. Hodges cohabited with Clarinda  
17 Hodges since she gave birth to the  
18 child you speak of?

19 Not that I have any knowledge of.

Ans 20 What is the reputation of Clarinda  
21 Hodges in the neighborhood where she now  
22 resides, if you know that reputation, for  
23 chastity?

24 Bad.

25 And further this deponent says to wit:

26 D. L. McKimsey,

27 J. T. Hodges another witness of lawful  
28 age being duly sworn deposes as follows.

Ques 29 Where do you reside, and what connection



1 have you with this suit?

Ans

2 I live in the Crab Orchard, Lee County Va,  
3 and have been lived there for more than 2 years  
4 in succession; and am the plaintiff in  
5 this suit.

Ques

6 What relation do you sustain to the  
7 defendant?

8 I am her husband, but have not  
9 cohabited with her for nearly five years!

Ques

11 Why do you not live with her now, and  
12 why have you lived apart from her so long?

Ans

13 Because she has been so intimate with  
14 other men. I heard of her committing adultery  
15 with other men, so I left her, and have  
16 not cohabited with her since I learned of  
17 her having carnal knowledge of other  
18 men.

19 And further this deponent says to wit:

20 J. <sup>his</sup> F. Hodge  
21 mark

22 Virginia, Lee County to wit:

23 I James Smith a Justice of the Peace  
24 for the County of Lee in the said State  
25 do hereby certify that the foregoing deposition  
26 of Martha Hood, D. S. McKinney and J. F. Hodges  
27 were duly taken, sworn to and subscribed  
28 before me, at the times and place, and for the  
29 purpose therein mentioned.

30 Given under my hand this 15 day of  
31 Feb. 1901.

32 James Smith J.P.



J. P. Hodges  
vs Depositions  
Clarinda Hodges

Received by mail in  
good condition and filed  
February the 19<sup>th</sup> 1901  
A B Munsey Clerk

Justice Court \$1.00

Paid by plaintiff



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

<sup>again</sup>  
WE COMMAND YOU, That you summon Clarinda Hodges

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the  
said court, on the 3rd Monday in February 1901, to answer a bill in  
chancery exhibited against her in our said court by J. T. Hodges

And have then there this writ. Witness, A. B. Munsey, Clerk of our said Court, at the court-house,  
the 2nd day of February 1901, and in the 12<sup>th</sup> year of the Common-  
wealth. A copy, Teste: A. B. Munsey Clerk.

Clerk.



J. L. Hodges

VS.

SUBPÆNA  
IN CHANCERY.

Clarinda Hodges

J. C. Noel

P. Q.

To 2<sup>nd</sup> February Rules.  
Circuit Court.

Executed by  
Giving Copy of  
The Written Summons  
to Clarinda Hodges  
This Feb. 20<sup>th</sup> 1901.  
J. D. Hobbs Es.  
For W. J. Wilkinson Es.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Clarinda Hodges*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the  
said court, on the *1st* Monday in *February* 1901, to answer a bill in

chancery exhibited against

*her*

in our said court by

*J. T. Hodges*

And have then there this writ.

Witness, A. B. Munsey, Clerk of our said Court, at the court-house,

the

*22nd*

day of

*January*

1901, and in the 12<sup>5</sup>

year of the Common-

wealth.

A copy, Teste:

*A. B. Munsey*

Clerk.

*A. B. Munsey Clerk*

~~Clerk~~



VS.

}

SUBPŒNA  
IN CHANCERY.

p. q.

To ..... Rules.

..... Court.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Clarinda Hodges*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the said court, on the *1<sup>st</sup>* Monday in *February* 1901, to answer a bill in

chancery exhibited against *her* in our said court by *J. L. Hodges*

And have then there this writ. Witness, A. B. Munsey, Clerk of our said Court, at the court-house,

the *22<sup>nd</sup>* day of *January* 1901, and in the 12<sup>th</sup> year of the Common-

wealth.

A copy, Teste:

*A. B. Munsey*

Clerk.

Clerk.



J. T. Hodges

VS. }

SUBPŒNA  
IN CHANCERY.

Clairinda Hodges

J. L. Noel

p. q.

To 1st Feby

Rules.

Circuit

Court.

Not Executed for  
want of time this  
Feb the 2nd 1801  
W. J. Milham

J. L. C.